

REMARKS

Claims 6-10 have been canceled. Amended claims 1-5 are in this application.

Claims 1-3 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,545,709 B2 (Takei et al.).

Independent claim 1 has been amended herein. As a result, amended independent claim 1 now recites in part the following:

"the data supply source apparatus is operable to perform an RFID (Radio Frequency Identification) tag function that transmits data by a back scattering scheme by absorbing or reflecting external radio waves provided by the data provided destination apparatus in accordance with a bit string of the data through an on/off control of an antenna switch to make an antenna in a terminated state or an open state; and

the data provided destination apparatus is operable to perform a reader function that transmits the radio waves in a predetermined frequency band and reads data of an RFID tag in accordance with reflected waves from the data supply source apparatus." (Emphasis added.)

In explaining the above 102 rejection with regard to claim 1 and as best understood, the Examiner appears to assert that lines 7-36 of column 6 and line 59 of column 6 to line 2 of column 7 along with Fig. 3 and elements 304, 310, 414, and 418 of Fig. 4 of Takei disclose the data supply source apparatus of claim 1; and lines 7-36 of column 6 and lines 40-57 of column 10 along with elements 714, 722, and 902 of Fig. 10 of Takei disclose the data provided destination apparatus of claim 1.

It is respectfully submitted that the above-identified portions of Takei relied on by the Examiner do not appear to disclose the data supply source apparatus and the data provided destination apparatus as specifically recited in claim 1. As an example, such portions of Takei do not appear to disclose (i) data supply source apparatus which performs "an RFID (Radio Frequency Identification) tag function that transmits data by a back scattering scheme by absorbing or reflecting external radio waves provided by the data provided destination apparatus in accordance with a bit string of the data through an on/off control of an antenna switch to make an antenna in a terminated state or an open state" and (ii) data provided destination apparatus which performs a reader function "that transmits the radio waves in a predetermined frequency band and reads data of an RFID tag in accordance with reflected waves from the data supply source apparatus" as in claim 1. (Emphasis added.)

Although the portions of Takei relied on by the Examiner appear to disclose spread spectrum transmission circuit 418 and a control unit 304 (Fig. 4 of Takei), such portions of Takei do not appear to disclose that such spread spectrum transmission circuit 418 with the control unit 304 performs "an RFID tag function that transmits data by a back scattering scheme by absorbing or reflecting external radio waves provided by the data provided destination apparatus in accordance with a bit string of the data through an on/off control of an antenna switch" It is respectfully submitted that the spread spectrum transmission circuit 418 of Takei may simply modulate "the error correction encoded data into a radio frequency signal of spread spectrum system for supply to the antenna 310" which is apparently outputted therefrom. (See line 67 of column 6 to line 2 of column 7 of Takei.) Further, it should be noted that although Takei appears to indicate that spread spectrum transmission circuit 418 includes a switch 312 (see lines 3-5 of

column 7 of Takei), such switch appears to merely send the output of the circuit 418 to an antenna 310 or send the output of the antenna 310 to reception circuit 308 (see lines 29-32 of column 6 of Takei). As such, switch 312 does not appear to operate in the same manner as that of claim 1. Thus, it appears that the spread spectrum transmission circuit 418 and the control unit 304 of Takei do not operate in the same manner as the present data supply source apparatus.

Additionally, the portions of Takei relied on by the Examiner do not appear to disclose data provided destination apparatus which performs "a reader function that transmits the radio waves in a predetermined frequency band and reads data of an RFID tag in accordance with reflected waves from the data supply source apparatus". Although the portions of Takei relied on by the Examiner appear to disclose spread spectrum reception circuit 704 and a control unit 902 (Fig. 10 of Takei), such portions of Takei do not appear to disclose that such spread spectrum reception circuit 704 with the control unit 902 transmits and reads data of an RFID tag in accordance with reflected waves.

Accordingly, for at least the above-described reasons, it is believed that amended claim 1 is distinguishable from Takei as applied by the Examiner.

Claims 2 and 3 are dependent from independent claim 1. Accordingly, it is also respectfully submitted that dependent claims 2 and 3 are distinguishable from Takei as applied by the Examiner for at least the reasons previously described.

Claims 4 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Takei et al. in view of U.S. Patent No. 6,408,095 B1 (Maeda et al.).

Claims 4 and 5 are dependent from independent claim 1. Accordingly, it is also respectfully submitted that dependent

claims 4 and 5 are distinguishable from Takei as applied by the Examiner for at least the reasons previously described. The Examiner does not appear to rely on Maeda to overcome the above-described deficiencies of Takei. Accordingly, it is also respectfully submitted that dependent claims 4 and 5 are distinguishable from the applied combination of Takei and Maeda.

Claims 6-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Takei et al. in view of USPG Publication No. 2003/0104848 A1 (Raj Bridegall). Claim 10 was rejected under 35 U.S.C. 103(a) as being unpatentable over Takei et al., in view of Bridegall, and further in view of U.S. Patent No. 7,391,967 B2 (Makoto Shizukuishi).

As previously indicated, claims 6-10 have been canceled herein.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

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If there are any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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